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TO: Petitions
COMPANY: U.S. Patent and Trademark Office
CENTRAL FAX NO.: 571-273-8300

FROM: Melanie Murdock
COMPANY: Alcatel USA
Intellectual Property Department
FAX NO.: 972-477-9328
SENDER'S TELEPHONE NO.: 972-519-5103

DATE: September 25, 2006
TOTAL PAGES (incl. Cover) 6

Serial No.: 10/092,061
Attorney Docket No.: 135907

I hereby certify that the following documents are being transmitted via facsimile to the U.S. Patent and Trademark Office on September 25, 2006.

1. Facsimile Transmittal (1 page)
2. Petition for Revival of an Application for Patent Abandoned for Failure to Notify the Office of a Foreign or International Filing (37 CFR 1.137(f) (5 pages)
 - Petition – SB/64a
 - Petition – additional sheets
 - Recission of Previous Nonpublication Request – SB/36


Melanie Murdock

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PTO/SB/64a (07-06)

Approved for use through 09/30/2006. OMB 0551-0031

U.S. Patent and Trademark Office, U.S. DEPARTMENT OF COMMERCE

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PETITION FOR REVIVAL OF AN APPLICATION FOR PATENT ABANDONED FOR FAILURE TO NOTIFY THE OFFICE OF A FOREIGN OR INTERNATIONAL FILING (37 CFR 1.137(f))	Docket Number (Optional) 135907
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First named inventor: Stefan Keller-Tuberg

Application No.: 10/092,061

Art Unit: 2616

Filed: March 5, 2002

Examiner: Jordan J. Hamann

Title: FACILITATING IP-BASED MULTICASTING CONTROL CONNECTIONS

Attention: Office of Petitions

Mail Stop Petition

Commissioner for Patents

P.O. Box 1450

Alexandria, VA 22313-1450

FAX (571) 273-8300

09/26/2006 CNEGA1 00000076 500838

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NOTE: If information or assistance is needed in completing this form, please contact Petitions Information at (571) 272-3282.

The above-identified application became abandoned pursuant to 35 U.S.C. 122(b)(2)(B)(iii) for failure to timely notify the Office of the filing of an application in a foreign country or under a multinational international treaty that requires publication of applications eighteen months after filing. The date of abandonment is the day after the expiration date of the forty-five (45) day period set in 35 U.S.C. 122(b)(2)(B)(iii).

PURSUANT TO 37 CFR 1.137(f), APPLICANT HEREBY PETITIONS FOR REVIVAL OF THIS APPLICATION UNDER 37 CFR 1.137(b)

1. Petition fee

☐ Small entity-fee \$ _____ (37 CFR 1.17(m)). Applicant claims small entity status. See 37 CFR 1.27.

☒ Other than small entity - fee \$ 1,500.00 (37 CFR 1.17(m))

2. Notice of Foreign or International Filing (35 U.S.C. 122(b)(2)(B)(iii) and 37 CFR 1.213(c))

Subsequent to the filing of the above-identified application, an application was filed in another country, or under a multinational international treaty (e.g., filed under the Patent Cooperation Treaty), that requires publication of applications eighteen months after the filing. The filing date of the subsequently filed foreign or international application is January 29, 2003.

(Page 1 of 2)

This collection of information is required by 37 CFR 1.137. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.11 and 1.14. This collection is estimated to take 1.0 hour to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Mail Stop Petition, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

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PTO/SB/64a (07-06)

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STATEMENT: The entire delay in filing the required notice of a foreign or international filing from the due date for the required notice until the filing of a grantable petition under 37 CFR 1.137(b) was unintentional. [NOTE: The United States Patent and Trademark Office may require additional information there is a question as to whether either the abandonment or the delay in filing a petition under 37 CFR 1.137(b) was unintentional (MPEP 711.03(c), subsections (III)(C) and (D)).]

WARNING:

Petitioner/applicant is cautioned to avoid submitting personal information in documents filed in a patent application that may contribute to identity theft. Personal information such as social security numbers, bank account numbers, or credit card numbers (other than a check or credit card authorization form PTO-2038 submitted for payment purposes) is never required by the USPTO to support a petition or an application. If this type of personal information is included in documents submitted to the USPTO, petitioners/applicants should consider redacting such personal information from the documents before submitting them to the USPTO. Petitioner/applicant is advised that the record of a patent application is available to the public after publication of the application (unless a non-publication request in compliance with 37 CFR 1.213(a) is made in the application) or issuance of a patent. Furthermore, the record from an abandoned application may also be available to the public if the application is referenced in a published application or an issued patent (see 37 CFR 1.14). Checks and credit card authorization forms PTO-2038 submitted for payment purposes are not retained in the application file and therefore are not publicly available.

Bobby D. Slaton
Signature

9/25/06
Date

Bobby D. Slaton

Typed or printed name
Alcatel

43,130

Registration Number, if applicable

Intellectual Property Department

Address

3400 W. Plano Parkway, M/S LEGL2

Plano, TX 75075

Address

(972) 519-2295

Telephone Number

Enclosures: ☒ Fee Payment☒ Additional sheets containing statements establishing unintentional delay☒ Other: Rescission of Previous Nonpublication Request (PTO/SB/36)**CERTIFICATE OF MAILING OR TRANSMISSION [37 CFR 1.8(a)]**

I hereby certify that this correspondence is being:

☐ Deposited with the United States Postal Service on the date shown below with sufficient postage as first class mail in an envelope addressed to: Mail Stop Petition, Commissioner for Patents, P. O. Box 1450, Alexandria, VA 22313-1450.

☒ Transmitted by facsimile on the date shown below to the United States Patent and Trademark Office at (571) 273-8300.

9/25/06
Date

Melanie Murdock
Signature

Melanie Murdock

Typed or printed name of person signing certificate

SEP 25 2006

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant(s): Stefan Keller-Tuberg **Docket:** 135907
Serial No.: 10/092,061 **Art Unit:** 2616
Filed: March 5, 2002 **Examiner:** Jordan J. Hamann
Title: Facilitating IP-Based Multicasting Control Connections

**PETITION FOR REVIVAL OF AN APPLICATION FOR PATENT APPLICATION
ABANDONED FOR FAILURE TO NOTIFY THE OFFICE OF A FOREIGN OR
INTERNATIONAL FILING UNDER 37 C.F.R. 1.137(f)**

M/S Petition
Commissioner for Patents
P. O. Box 1450
Alexandria, VA 22313-1450

Certificate Under 37 C.F.R. §1.8(a)

I hereby certify that this correspondence is being transmitted to the U.S.
Patent and Trademark Office via facsimile, 571-273-8300, on September
25, 2006 in accordance with 37 C.F.R. §1.6(d).

Melanie Murdock
Melanie Murdock

Dear Commissioner:

Pursuant to 37 C.F.R. 1.137(f), Applicant hereby petitions for revival of this application under 37 C.F.R. 1.137(b). This application was filed on March 5, 2002 along with a Request for Nonpublication. On January 29, 2003, a corresponding application was filed at the European Patent Office, EP Application No. 03001816.2. The Notice of Allowance and Fee(s) Due was received from the U.S. Patent and Trademark Office on September 14, 2006. After completing the initial review of the file in preparation for payment of the issue fee, my paralegal discovered that the Request to Rescind Previous Nonpublication Request had not been filed with the U.S. Patent and Trademark Office within the required 45 days from the date of foreign filing at the European Patent Office.

Applicant was in the process of changing docketing databases during the time when the deadline would have appeared on a docket. Unfortunately, this deadline did not transfer to the new database and was therefore overlooked. The entire delay in filing the required notice of a foreign or international filing from the due date for the required notice until the filing of a grantable petition under 37 C.F.R. 1.137(b) was unintentional.

SEP 25 2006

Serial No.: 10/092,061
Group Art Unit: 2616
Examiner: Jordan J. Hamann

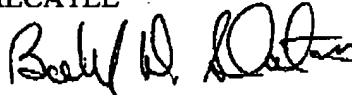
It is respectfully requested that this petition be granted and that the application be revived. As this case was filed after June 8, 1995, no terminal disclaimer is required under 37 C.F.R. 1.137(d).

Commissioner is authorized to charge the Petition fee of \$1,500 to Applicant's Deposit Account No. 50-0838.

Should the Office of Petitions require any further information, please contact Bobby Slaton at (972) 519-2295.

Respectfully submitted,

ALCATEL

Dated: September 25, 2006
Bobby D. Slaton
Reg. No. 43,130

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